IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22624 of 2004

Between:

M/s Srinivasa Industrial Training Centre, Industrial Estate,

Narasaraopet, Guntur District, Rep. by its Secretary Mr. V. Srinivasulu Reddy.

..... PETITIONER

AND

Office of the Employees Provident Fund Organisation, Sub-Regional Office, 3rd Lane, Krishna Nagar, Guntur - 522 006, Rep. by its Asst. P.F. Commissioner.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue notice call for records, quash and set aside the Proceedings No. AP/SRO/Govt./33500/C-1/7B/Order/2004, dated 21-9-2004 issued by the Respondent herein, by issuing a Writ of Certiorari or any other appropriate Writ or order or orders or direction or directions as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent.: MR.R.N.REDDY

The Court, at the stage of admission, made the following:

ORAL ORDER:

Heard the learned counsel on either side.

The order dated 21.9.2004 passed by the respondent under Section 7B of the Employees' Provident Fund & Miscellaneous Act, 1952 (for short 'the Act'), is assailed in this writ petition. Through the impugned order, the respondent observed that the said Act is applicable to the petitioner-institution since it reached the employment strength of 20 employees, and accordingly confirmed the assessment order dated 29.10.2003, wherein it was stated that the petitioner-institution has to pay the contributions for the period from August, 1998 to September, 2003 amounting to Rs.2,87,401.30 ps, together with interest of Rs.97,894/-.

It is agreed by both the counsel that against the impugned

orders dated 21.9.2004, an appeal lies under Section 7 (I) of the Act, before the appropriate authority constituted thereunder.

Having regard to the submission made by both the counsel, the writ petition is disposed of directing the petitioner to file an appeal under Section 7 (I) of the Act, within four weeks from the date of receipt of a copy of this order. Till such time, the respondent is directed not to take any coercive steps against the petitioner. No order as to costs.

8.12.2004

CVM

To

1. The Asst. P.F. Commissioner, Office of the Employees Provident Fund Organisation, Sub-Regional Office, 3rd Lane, Krishna Nagar, Guntur - 522 006.

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